

AGENDA

**BOARD OF COMMISSIONERS
315 WEST SECOND STREET
FRANKFORT, KY 40601
502/875-8500**

**APRIL 24, 2006
5:30 P.M.**

1. **INVOCATION**

Rev. Louis Newby, First Corinthian Baptist Church

**PLEDGE OF ALLEGIANCE
ROLL CALL**

John Hammond

MINUTES

February 16, 2006 Work Session; March 27, 2006 Regular Meeting; April 10, 2006 Work Session; April 13, 2006 Work Session.

MAYOR'S REPORT

2. **CEREMONIAL ITEMS**

3. **ORDINANCES**

- 3.1 **SECOND READING:** An Ordinance amending Ordinance No. 8, 1983 Series, Article 12, Section 12.02 – Table of Required Parking, by adding language that specifically addresses parking at fuel pumps (Planning and Building Codes).

Purpose: To amend the City's Zoning Ordinance as recommended by the Frankfort/Franklin County Planning Commission and the Zoning Update Committee to amend the parking standards for Convenience stores with fuel pumps.

Background: On October 6, 2005, the Zoning Update Committee of the Planning Commission met and discussed a proposed amended ordinance for parking at convenience stores with fuel pumps.

During this meeting, it was determined to amend the parking requirements to specifically identify convenience stores with fuel pumps and to require 6 spaces per 1000 gross sq. ft. of such use, with a credit being provided that any pump service area that accommodates a 22 foot parking stall will count as a required parking space, provided that a minimum of one handicap parking space is striped and provided on site per ADA requirements.

On February 9, 2006, the Frankfort/Franklin County Planning Commission unanimously adopted the staff report as the summary of findings and unanimously approved to recommend the City of Frankfort's Board of Commissioners to approve the proposed text amendment.

Attached is the report submitted to the Planning Commission with the proposed text with strikeout text for removal and underline text for new text that is proposed within the Zoning Ordinance.

This Ordinance received its first reading on March 27, 2006.

Recommendation: Approval

Attachments:

- Proposed Ordinance with the Planning Commission report dated November 29, 2004.

- The minutes from the Public Hearing by the Frankfort/Franklin County Planning Commission.

Contact Person:

Name: Gary Muller
 Title: Planning and Building Codes Director
 Department: Planning
 Phone: 502/875-8513
 E-mail: gmuller@fewpb.com

3.2 **SECOND READING:** An Ordinance amending Frankfort Code of Ordinances Chapter 36, Administration, Section 36.051, Signing Checks (Finance Department).

Purpose: To amend the Frankfort Code of Ordinances to permit the Director of Finance to sign all checks, and permit the use of a stamped signature.

Background: The Purchasing Agent and Finance Director spend approximately four hours each week reviewing and signing checks. That process could be made more efficient by allowing staff to use a signature stamp, with a minimal time saving of 30%. That would permit more time for invoice and bill review. Currently, the City has an automated signature process for payroll that operates very smoothly.

The stamped signature would be consistent each time. By using a stamped signature, a fraudulent check could be detected by the bank. The key internal control point for the check stamp is to have both stamps locked and secured in separate locations. The check stamp can only be accessed by the designated check signatory. Ultimately, the Finance Department plans to reduce the check issues by using ACH (Automated Clearinghouse) transfers. The department will begin with regularly occurring checks such as utilities, rents and other recurring monthly expenditures.

Additionally, the reference to the City Auditor is deleted as it is obsolete in this context.

This ordinance received its first reading on March 27, 2006.

Recommendation: Approval

Attachment:

- Ordinance

Contact Person:

Name: Steve Dawson
 Title: Director
 Department: Finance
 Phone: 502/875-8500
 E-mail: Sdawson@fewpb.com

3.3 **FIRST READING:** An ordinance rezoning property for a 3.061-acre parcel of property located at 117 Old Soldiers Lane with the PVA map # map #049-40-06-027.00 from Residential "B" District (RB) to Professional Office District (PO) (Planning and Building Codes).

Purpose: To consider approval of the recommendation of approval by the Frankfort/Franklin County Planning Commission concerning a zone map amendment by Beverly Health & Rehabilitation Services, Inc., for a 3.061 acre parcel of property located at 117 Old Soldiers Lane from Residential "B" district (RB) to Professional Office District (PO). More specifically described as PVA map #049-40-06-027.00.

Background: KRS requires that a public hearing be held by the Planning Commission, and that the Planning Commission's recommendation be forwarded to the Local Government.

Should the City Commission desire to not follow the Planning Commission's recommendation, then the item must be tabled and a request for a verbatim transcript of the Planning Commission meeting, which must be obtained before the item can be heard by the City Commission. The City Commission will then be required to make their own findings of fact based on the verbatim transcript or hold its own public hearing and then make findings of fact. Any action by the City Commission is to be limited to only the findings and testimony given during the Planning Commission hearing and no additional evidence or testimony is to be received unless a new public hearing is held by the City Commission.

On April 13, 2006, the Frankfort-Franklin County Planning Commission held a public hearing to consider a zone change request for this property. The public hearing was closed (no one present spoke in opposition to the zone map amendment) and the Planning Commission adopted the report as the summary. They then approved and adopted 1 finding of fact (that the application is in compliance with the adopted Comprehensive Plan), and motioned to recommend approval of a zone map amendment from Residential "B" district (RB) to Professional Office District (PO) based on the finding of fact. The motion to recommend approval of the requested zone map amendment passed unanimously.

Recommendation: Approval

Attachments:

- Ordinance
- Adopted Findings of Facts
- Staff report reviewed by the Frankfort/Franklin County Planning Commission (minutes from the April 13, 2006 meeting will be made available upon completion).

Contact Person:

Name: Gary Muller
Title: Director of Planning and Building Codes
Department: Planning and Building Codes
Phone: (502) 352-2100
E-mail: Gmuller@fewpb.com

- 3.4 **FIRST READING:** An ordinance rezoning property for a 2.769-acre parcel of property located at 117 Leonardwood Drive with the PVA map # map #050-00-00-067.08 from Professional Office District (PO) to Planned Commercial Unit Development (PC) (Planning and Building Codes).

Purpose: To consider approval of the recommendation of approval by the Frankfort/Franklin County Planning Commission concerning a zone map amendment by the City of Frankfort for a 2.769 acre parcel of property located at 117 Leonardwood Drive from Professional Office District (PO) to Planned Commercial Unit Development (PC). More specifically described as PVA map #050-00-00-067.08, being Lot #1 of the Leonardwood Drive Extension Plat.

Background: KRS requires that a public hearing be held by the Planning Commission and that the Planning Commission's recommendation be forwarded to the Local Government.

Should the City Commission desire to not follow the Planning Commission's recommendation, then the item must be tabled and a request for a verbatim transcript of the Planning Commission meeting, which must be obtained before the item can be heard by the City Commission. The City Commission will then be required to make their own findings of fact based on the verbatim transcript or hold its own public hearing and then make findings of fact. Any action by the City Commission is to be limited

to only the findings and testimony given during the Planning Commission hearing and no additional evidence or testimony is to be received unless a new public hearing is held by the City Commission.

On April 13, 2006, the Frankfort-Franklin County Planning Commission held a public hearing to consider a zone change request for this property. The public hearing was closed (no one present spoke in opposition to the zone map amendment) and the Planning Commission adopted the report as the summary. They then approved and adopted the seven findings of fact identified within the staff report, and motioned to recommend approval of a zone map amendment from Professional Office District (PO) to Planned Commercial Unit Development (PC) based on all seven (7) findings of fact. The motion to recommend approval of the requested zone map amendment passed by a vote of 8-1.

Recommendation: Approval

Attachments:

- Ordinance
- Adopted Findings of Facts
- Staff Report reviewed by the Frankfort/Franklin County Planning Commission (minutes from the April 13, 2006 meeting will be made available upon completion).

Contact Person

Name: Gary Muller
Title: Director of Planning and Building Codes
Department: Planning and Building Codes
Phone: (502) 352-2100
E-mail: Gmuller@fewpb.com

4. **ORDERS**

5. **RESOLUTIONS**

- 5.1 Resolution adopting and approving the execution of a Municipal Road Aid Bond Fund Agreement between the City of Frankfort, Kentucky and the Commonwealth of Kentucky, Transportation Cabinet, Department of Intergovernmental Programs, and accepting all streets referred to therein as being streets which are a part of the City of Frankfort's incorporated area (Public Works).

Purpose: The purpose of this item is to approve a Resolution and Agreement between the City of Frankfort and the Transportation Cabinet to perform bituminous resurfacing on city streets.

Background: The City of Frankfort has been awarded up to \$369,195 in Municipal Road Aid Bond funding to perform bituminous resurfacing on city streets. This funding is available to cities and counties throughout the Commonwealth to reconstruct existing bridges and repave or rehabilitate existing roads. This program is funded through House Bill 267 that was approved by the Kentucky Legislature in Fiscal Year 2004-05 to supplement the City and County Road Aid Programs.

The City will complete its 2005-2006 resurfacing program this spring. Attached is a list of streets that were paved in the summer of 2005 at a cost of \$220,000. The City has contracted with its paving contractor to pave Schenkle Lane, East Second Street, and Devils Hollow Road at an estimated cost of \$144,000. The discretionary bond funds will reimburse the City for the 2005-2006 resurfacing projects.

Financial Analysis – Resurfacing funds have been allocated or expensed in the Municipal Aid Account. Upon completion 2005-2006 resurfacing program, receipts will be forwarded to the Transportation Cabinet for reimbursement.

Recommendation: Approval

Attachments:

- Resolution
- Agreement
- 2005-2006 Street Resurfacing List

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 875-8563
E-mail: jhackbrt@fewpb.com

- 5.2 Resolution authorizing the filing of an application for 2006 Recreational Trails Program Grant Funds and authorize the Mayor to sign all grant related documents (Parks and Recreation).

Purpose: To authorize filing of an application for 2006 Recreation Trails Program Grant Funds to develop trails, shelters and interpretive resources in the wetland portion of Cove Spring Park/Nature Preserve.

Background: In 2002, the Parks and Recreation Department applied for a \$46,000 grant to develop trails, shelters and interpretive resources in the wetland portion of the Cove Spring Park/Nature Preserve. The grant was partially funded at around \$18,000. This grant application seeks funding for most of the remaining elements that were unfunded. These include:

	<u>Grant</u>	<u>Local Match</u>
• Elevated walkway #2 and observation deck	\$ 7,000	\$4,500 (labor or Cash)
• Railing and rain shelter at overlook	3,000	2,000 (labor)
• Overlook trail, perimeter trail, and misc.		4,000 (labor)
• Interpretive signage	<u>6,000</u>	<u>5,500</u>
TOTAL grant request	\$16,000	\$16,000

Financial Analysis: City Match will be primarily equipment and labor for construction. Roughly \$8,000 is projected to be available for additional match if needed from the Cove Spring Account and Account No. 640. This will depend on the City labor availability.

Recommendation: Approval

Attachments:

- Resolution
- Description of Project

Contact Person:

Name:	Andrew Cammack	Steve Brooks
Title:	City Arborist	Director
Department:	Parks & Rec.	Parks & Rec.
Phone:	502-875-8575	502/875-8575
E-Mail:	Acammack@fewpb.net	Sbrooks@fewpb.com

- 5.3 Resolution authorizing the filing of an application for 2006 Cemetery Preservation grant funds and designating the Mayor to execute all grant documents pertaining to this application (Special Projects).

Purpose: To authorize the filing of an application for 2006 Cemetery Preservation grant funds and designating the Mayor to execute all grant related documents.

Background: The Governor's Office for Local Development (GOLD) is accepting applications from local government agencies for the purpose of preserving cemeteries around the state. This proposal would request funding for lighting for the African American Civil War Monument located at the Green Hill Cemetery. The application would also request funding for grave marker restoration and possibly archiving. A Resolution from the City is required as part of the full application package.

Financial Analysis: The grant does require a 50/50 match in the form of cash or in-kind services. The budget already reflects a \$5,000.00 allocation to Green Hill Cemetery (Account No. 100.62.53295) that could be used as match. Also, George White, Green Hill Cemetery Board Chairman, said his group will provide in-kind services in the form of grounds clean-up and archiving. The grant should have no additional impact on the budget.

Recommendation: Approval

Attachment:

- Resolution

Contact Person:

Name: Rebecca Hall
Title: Grants Manager
Department: City Manager
Phone: 502/875-8500
E-Mail: Rhall@ewpb.com

- 5.4 Resolution related to the protection of the public health and welfare by requesting restaurants and other business establishments in which food is served to the public to prohibit the smoking of tobacco products.

Purpose: To consider a Resolution requesting restaurants and other business establishments in which food is served to the public to prohibit the smoking of tobacco products.

Background: At the Board of Commissioners regular meeting of March 27, 2006, a citizen petition was presented requesting the Board take action to prohibit smoking in restaurants. The Board discussed the issue at the April 10, 2006 work session and agreed that a resolution encouraging restaurants and other establishments where food is served to prohibit smoking of tobacco products be placed on the April 24, 2006 regular meeting agenda.

Recommendation: Approval

Attachment:

- Resolution

Contact Person:

Name: Rob Moore
Title: City Solicitor
Department:
Phone: 502/227-2271
E-Mail: rmoore@hazelcox.com

- 5.5 Resolution of the City of Frankfort accepting grant funding from the Kentucky Infrastructure Authority for the Cave Run Drainage Project, approving the Grant Agreement, authorizing the

amendment of the local budget, and authorizing the Mayor to sign all grant-related documents (SX21073016).

Purpose: The purpose of this item is to consider approval of a Resolution authorizing the Mayor to sign a Grant Assistance Agreement for funds awarded to Frankfort by the Kentucky General Assembly during the 2005 Legislative Session. The Kentucky Infrastructure Authority will administer the grant. Adoption of the Resolution will allow the Mayor to sign the grant agreement and all administrative documents required to process the grant.

Background: On May 10, 2005 the City was notified that it had received \$750,000.00 grant funds from the General Assembly to address sewer problems in the city. Of that amount \$150,000.00 was dedicated to the Harrodswood/Cave Run Road area.

Financial Analysis: This grant will partially offset the cost of the project and there is no match requirement from the city.

Attachments:

- Resolution
- Grant Assistance Agreement

Contact Person:

Name:	Jeff Hackbart	Rebecca Hall
Title:	Director	Grants Manager
Department:	Public Works	City Manager
Phone:	352-2091	352-2076
Email:	jhackbrt@fewpb.com	rhall@fewpb.com

6. **CONSENT CALENDAR**

Items on the Consent Calendar are considered to be routine by the Board of Commissioners and will be enacted by one motion and one vote. There will be no separate discussion of these items unless a Board member so requests, in which event the item will be removed from the Consent Calendar and considered separately. The City Manager will read the items recommended for approval.

- 6.1 To consider a Sewer Extension Contract with Tom D. Issac, President of Issac Properties, Inc. and Denny Nunnelley, Member of Kanun Properties, LLC for property located at Twilight Trail, Franklin County, Kentucky (Sewer Department).

Purpose: To approve a sewer extension contract with owners of Suburban Park located on Twilight Trail, in Franklin County, Kentucky which is properly zoned for commercial development of 5 lots with a total of four commercial buildings, with improvements including one 45 gallon per minute pump station and 315 feet of 4-inch force main.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Tom D. Issac, President of Issac Properties, Inc. and Denny Nunnelley, Member of Kanun Properties, LLC, has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval

Attachment:

- Sanitary Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

6.2 To consider authorizing the disposal of surplus property by public auction (Finance Department).

Purpose: The purpose of this item is to authorize the disposal of surplus property by public auction.

Background: Department heads have provided a list of various items deemed obsolete or no longer required in their area. Items require disposal to provide needed storage space for currently used material. Auction date is tentatively set for Saturday, May 20, 2006 at the City Garage off U.S. 421 N.

Financial Analysis: Proceeds from auction should generate approximately \$10,000.

Recommendation: Approval

Attachments: None

Contact Person:

Name: Lisa Lynch
Title: Finance Administrative Specialist
Department: Finance
Phone: (502) 352-2079
E-Mail: llynch@fewpb.com

6.3 To consider awarding a bid for the Cave Run Road Drainage Project in the Meadows Subdivision (Public Works).

Purpose: To consider a bid award to Meyer Midwest for the Cave Run Road Drainage Project in the Meadows Subdivision.

Background: The west side of Frankfort is partially serviced for drainage by a series of sinkholes. Over the last several years, the residences along Harrodswood Drive and Cave Run Road, in the Meadows Subdivision, have experienced problems with stormwater. The problems are due to the inability of the sinkhole in the area to convey surface water inflow during periods of heavy rain events.

After several unsuccessful attempts by the City to mitigate the issue through routine maintenance, the Board of Commissioners authorized staff to advertise for professional services in July of 2005 and awarded a design contract to CDP Engineers in November 2005. Upon completing the drainage study, CDP Engineers and City staff presented a front yard and a backyard alternate at a neighborhood meeting on 3/15/06. The backyard alternate was the preferred alternate of the design engineer and the residents. The drainage project consists of installing 333' of 30" corrugated metal pipe, 3 manholes, and 2 concrete headwalls.

The City opened bids on 4-18-06 that ranged from \$73,000 to the low bid of \$68,845 from Meyer Midwest, Inc. Upon receipt of the notice to proceed from the City, the Contractor has 90 calendar days to complete the project.

Financial Analysis: Funds are available in the Account Receivable Account (Account No. 100-00-11060). A Kentucky Infrastructure Authority grant through the Commonwealth of Kentucky will reimburse \$150,000 of project costs upon project completion.

Recommendation: Approval

Attachment:

- CDP Engineer's recommendation letter
- Agreement

Contact Person

Name: Jeff Hackbart
Title: Director
Department: Public Works
Phone: (502) 352-2091
E-mail: jhackbrt@fewpb.com

- 6.4 To consider authorizing a contract award to HMB Professional Engineers for the update of the Sewer Department Standard Detail Sheets (Sewer Department).

Purpose: The purpose of this item is to consider awarding an engineering contract with HMB Engineers to update the Standard Detail Sheets for the Sewer Department.

Background: The Sewer Department currently has Standard Detail Sheets that engineers and contractors must follow for the design and construction of new sewers. The Choateville Sewer Project identified a need for detail sheets for a low-pressure sewer. HMB performed the design for the Choateville Sewer Project and utilizing them should be the most cost effective for the Sewer Department. The contract is for a not to exceed amount of \$10,000.

Financial Analysis: Funds are available in Account No. 200.68.53265.

Recommendation: Approval

Attachment:

- Contract

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

- 6.5 Authorization to award a contract to HMB Professional Engineers for the design of Septage Pit modifications at the Wastewater Treatment Plant (Sewer Department).

Purpose: The purpose of this item is to consider awarding an engineering contract with HMB Engineers for the design of modifications to the Septage Pit at the Wastewater Treatment Plant.

Background: The Septage Pit at the Wastewater Treatment Plant is undersized to meet existing needs of the facility. The pipe connecting the Septage Pit to the sewer main is also undersized and is constantly clogging resulting in lost manhours to clear the blockage and restore flow. The design will increase the size of the pit, increase wall height and increase the size of the discharge pipe.

HMB was chosen for this work due to their familiarity with the plant and the work previously performed by the firm. Total fee for the design is \$7,600.00.

Financial Analysis: Funds are available in Account No. 200.68.53265.

Recommendation: Approval

Attachment:

- Contract

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

6.6 Award contract to Ozonia for Ozone Generators for new Ozone System at the Wastewater Treatment Plant (Sewer Department).

Purpose: The purpose of this item is to award a contract to supply new ozone generators to the Frankfort Sewer Department for disinfection of effluent wastewater at the Wastewater Treatment Plant.

Background: On March 5, 2006, the City of Frankfort Sewer Department advertised for ozone generating equipment generating Ozone for disinfection of the effluent wastewater at the Treatment Plant.

Bids were opened on March 30, 2006 and three bids were received. A copy of the bid tab is attached. Bell Engineering and OSSGI have reviewed and evaluated the bids. One bidder, Mitsubishi, did not meet the project specifications and was disqualified. The reasons for disqualification are included in the attached letter from Bell Engineering.

The remaining two bids have been carefully reviewed by Bell Engineering and OSSGI, and based upon their evaluation, they have recommended that the equipment procurement contract be awarded to Ozonia. Attached is a copy of the letter from Bell Engineering with their recommendation with supporting documentation. The bid came in approximately 50% over the estimate, but the project still remains within the projected budget. The purchase price of the ozone generators is \$1,205,000.

Financial Analysis: Funds are available in Account No. 300.68.56550.

Recommendation: Approval

Attachments:

- Bid Tabulation Sheet
- Recommendation from Bell Engineering

Contact Person

Name: William R. Scalf, Jr., PE
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

- 6.7 To consider filing an application for Urban and Community Forestry Grant, and authorizing the Mayor to sign all grant-related documents (Parks and Recreation).

Purpose: Requesting approval to apply for grant to evaluate and prioritize city trees for hazards and maintenance and to update the web site.

Background: The Forestry program in Department of Parks, Recreation and Historic Properties has conducted an inventory of all the City's street trees under a previous grant. That data is outdated and the web site that hosted the data is down due to a consultant that went out of business. In order to get the program up to date and achieve some important goals, this grant would:

- Activate and renovate the City Urban Forestry Website to provide information for the public and other agencies on the city's urban forest.
- Establish a GIS based system and protocols for maintaining city street tree data and tracking hazardous trees. The system will provide the means to build on the existing street tree data and enable staff to generate maps and reports for use within the field.
- Update the street tree inventory and map. Query data and prioritize trees for further evaluation. Carry out on ground evaluation of priority trees so that hazardous trees may be removed and maintenance carried out.

Grant Request	\$4,900
<u>Local Match</u>	<u>\$5,000</u>
TOTAL PROJECT COST	\$9,900

Financial Analysis: City Match will be primarily labor. There will be a \$600 cash match.

Recommendation: Approval

Attachments: None

Contact Person:

Name:	Andrew Cammack	Steve Brooks
Title:	City Arborist	Director
Department:	Parks & Rec.	Parks & Rec.
Phone:	502-875-8575	502/875-8575
E-Mail:	Acammack@fewpb.net	Sbrooks@fewpb.com

- 6.8 To consider authorizing Change Order #2 with Affholder, Inc. for the East Main Tunnel Project (Public Works).

Purpose: Approval of Change Order #2 with Affholder, Inc. for the East Main Outlet Tunnel Project.

Background: At the Contractor's request, the tunnel alignment has been revised from the original as bid alignment in order to accommodate excavation of the tunnel portion of the project using a ten-foot (10) diameter Robbins 91-155 Main Beam Tunnel Boring Machine (TBM). A revised alignment drawing titled "TunnPlan version 5.dwg" was submitted to HMB Professional Engineers by the Contractor on February 9, 2006. This change in geometry of the tunnel is acceptable to the Engineer on the following conditions:

1. The Contractor shall assume the risks of differing site conditions that might be encountered outside of the original (as bid) limits of excavation for the East Main Outlet Tunnel (i.e. those areas outside the alignment investigated by the original geotechnical investigation). Including any area along Clinton Street where the Contractor chooses to use TBM excavation in lieu of open cut construction.
2. The Contractor shall be responsible for the installation of and cost for supplemental rock support required in the tunnel portion designated in Condition No. 1.

3. There will be no increase in the pay quantity for excavating and lining the tunnel shown in bid item No. 1 of the Bid Schedule due to the revised alignment. A maximum of eight hundred (800) L.F. shall be reimbursed the contractor in accordance with measurement and Payment Item 2.01 of Specification Section 01150 of Addendum No. 2.
4. The section of TBM Tunnel between Station 0+00 and 2+25 on Plan Sheet 10 of 14 will be paid for at the unit price bid for Item No. 6 of the Bid Schedule.
5. The Contractor shall obtain and assume the cost of any additional or revised easements and permits required due to the revised alignment.
6. The Contractor shall provide the Engineer a revised plan sheet of the alignment including the revised profile in AutoCad format.
7. The Contractor shall reimburse the Owner for all Engineering cost associated with the alignment change and relocated sluice gate structure. Reimbursement for engineering services shall be paid on an hourly basis at a rate of \$140,00 per hour with a total not to exceed fee of \$5,600. Reimbursement shall be for engineering services including but not limited to the revised alignment, correspondence in regards to the revised alignment, change order preparation, and structural review of the revised and relocated sluice gate structure.

Financial Analysis: Funds are available in the 1997 Bond Issue and the Commonwealth of Kentucky's Holmes Street Drainage direct authorization for this project.

Project as summarized below:

<u>Description</u>	<u>Cost</u>	<u>Substantial Completion Date</u>
Original Contract	\$3,866,025	12/9/06
Total Adjustment Change Order #1	-\$136,000	0 working days
Total Adjustment Change Order #2	-\$5,600	0 working days
Current Contract	\$3,724,425	12/9/06

Recommendation: Approval

Attachment:

- Change Order #2

Contact Person

Name: Jeff Hackbart
 Title: Director
 Department: Public Works
 Phone (502) 875-8563
 E-mail jhackbrt@fewpb.com

- 6.9 To consider a Sewer Extension Contract with Michael Mayo, Chief Executive Officer of Frankfort Regional Medical Center, Frankfort, Kentucky for the new Medical Office Building (Sewer Department).

Purpose: To approve a sewer extension contract with owner of the new Medical Office Building at 299 Kings Daughters Drive, Frankfort, Kentucky which is properly zoned for professional office and the developer agrees to construct improvements consisting of 4 new manholes and 350 feet of 8-inch SDR 35 pipe serving the office building.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Michael Mayo, Chief Executive Officer, has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval

Attachment:

- Sanitary Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

- 6.10 To consider a Sewer Extension Contract with Robert Roach, Franklin County Judge Executive, Franklin County Fiscal Court, for Choateville Phase II (Holly Hill Drive, Pierce Lane, Skyline Drive and Skyview Drive), Franklin County, Kentucky. (Sewer Department)

Purpose: To approve a Sewer Extension Contract with owner of Choateville Phase II (Holly Hill Drive, Pierce Lane, Skyline Drive and Skyview Drive), Franklin County, Kentucky which is properly zoned for residential development and will include improvements of 62 residential grinder pumps, 6,465 feet of 1 ¼" CTS (grinder pump service pressure lines), 2300 feet of 3" pressure main line and 6,520 feet of pressure main line.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Robert Roach, Franklin County Judge Executive, has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval

Attachment:

- Sanitary Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.
Title: Director
Department: Sewer
Phone: 875-2448
E-Mail: Wscalf@fewpb.com

- 6.11 To consider authorizing an application for Federal Highway Traffic Safety Grant funds and authorizing the Mayor to sign all grant-related documents (Police Department).

Purpose: The purpose of this item is to authorize filing an application for Federal Highway Traffic Safety Grant funding, a part of the Governor's Highway Safety Program.

Background: The mission of this grant is to plan and execute a comprehensive traffic safety program to reduce the number of fatalities and injuries on Kentucky's roadways, utilizing present and potential

resources on the local, state and national levels. The Governor's Highway Safety Program coordinates highway safety programs focused on public outreach and education, enforcement, promotion of new safety technology, integration of public health strategies and techniques, advocacy for traffic safety issues, and collaboration with state and local governments. The grant deadline is May 12, 2006, with successful grantees receiving funds beginning the next federal fiscal year (October 2006).

Financial Analysis: The Police Department will be reimbursed for manpower overtime and use of equipment while participating in this program. Reimbursement of \$72,986.40 expected (\$28,000 – equipment; \$4,000 – commodities; \$40,986.40 – 1,040 hours manpower).

Recommendation: Approval

Attachment:

- Grant application forms

Contact Person:

Name: Chief Walter M. Wilhoite
Title: Chief of Police
Department: Police
Phone: (502) 875-8523
E-mail: mwilhoite@fewpb.com

- 6.12 To consider a Sewer Extension Contract with Edward C. Kelsey, Jr., Member, Kelsey Properties, LLC, a Kentucky limited liability company, Frankfort, Kentucky (Sewer Department).

Purpose: To approve a sewer extension contract with owner of Maples Subdivision Section 4 at Steadmantown Lane in Franklin County, Kentucky that is properly zoned for development of 20 residential lots, with improvements including 4 new manholes and 823 feet of 8-inch SDR 35 pipe serving lots 98 through 117.

Background: Prior to acceptance of discharge from a development into the municipal sanitary sewer and acceptance of the development's collection by the Department, a contract must be entered into between the developer and the City of Frankfort.

Edward C. Kelsey, Jr., Member, has signed the contract. Sanitary sewer plans and specifications have been prepared and submitted to the Department for review and approval. The Division of Water has approved the sanitary sewer plans and specifications. Final acceptance is contingent upon completion of the 30-day waiting period for testing after construction is completed.

Recommendation: Approval

Attachment:

- Sanitary Sewer Extension Contract

Contact Person

Name: William R. Scalf, Jr., P.E.
Title: Director
Department: Sewer
Phone: 875-2448
Email: wscalf@fewpb.com

- 6.13 To consider authorizing a Letter of Engagement for Legal Services with the law firm Stites & Harbison (City Manager).

Purpose: To authorize the execution of a Letter of Engagement with the law firm of Stites & Harbison.

Background: The City of Frankfort will be negotiating a consent decree with the Kentucky Public Protection and Environmental Cabinet with respect to the operation and maintenance of its sewer system. Personnel with Stites & Harbison, who have substantial experience in environmental law, will assist the City Solicitor in negotiating the consent decree.

Financial Analysis: The Letter of Engagement has a \$15,000 cap. Funds are available in Account No. 200.00.53265.

Recommendation: Approval

Attachment:

- Letter of Engagement

Contact Person:

Name: Rob Moore
Title: City Solicitor
Department: City Manager
Phone: 502/227-2271
E-Mail: Rmoore@hazelcox.com

- 7. BOARD APPOINTMENTS**
- 8. OLD BUSINESS**
- 9. NEW BUSINESS**
- 10. CITIZEN COMMENTS (Non-agenda items)**
- 11. COMMISSIONER COMMENTS**
- 12. ADJOURNMENT**